

[20 March, 2001]

RAJYA SABHA

**Expression of interest for acquiring Government's stake in IBP**

\*346. SHRIMATI CHANDRA KALA PANDEY: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether Expression of Interest has been invited for acquiring Government's stake in IBP;

(b) if so, whether mandatory investment of Rs. 2000 crores in oil refinery or exploration is being ensured;

(c) if not, the reasons therefor;

(d) the percentage of share in retail market;

(e) whether any revaluation of assets has been done;

(f) if so, the agency appointed for this purpose; and

(g) if not, the reasons therefor?

THE MINISTER OF PETROLEUM AND NATURAL GAS (SHRI RAM NAIK): (a) Yes, Sir.

(b) and (c) The provision as enshrined in the "India Hydrocarbon Vision 2025" in regard to investment would be followed:—

"Make Marketing rights for transportation fuels conditional to a company investing or proposing to invest Rs. 2000 crores in E&P, refining, pipelines or terminals. Such investment should be towards additionality of assets and in the form of equity, equity like instruments or debt with recourse to the company."

(d) The share of IBP in the retail market as on January, 2001 was 7.8%.

(e) to (g) The Government registered valuers have been appointed and the valuation of assets has been taken up.

**Cases pending with the Central Excise Authorities**

\*347. SHRI SANJAYNIRUPAM: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that nearly 50,000 cases of Central Excise involving nearly Rs. 10,000/- crores have been pending with Central Excise Authorities in country for years;

(b) if so, the reasons for the authorities being unable to clear those cases and since when these are pending giving the exact number as on date and the amount involved therein;

(c) whether due to procedural delays, the cases are being dragged on unabatedly by the interested parties; and

(d) if so, the steps taken to overcome these procedural wrangles?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI GINGEE N. RAMACHANDRAN): (a) to (c) As on 31.12.2000, the number of cases pending for adjudication with various departmental adjudicating authorities was 27896. Out of these, 14800 cases were pending for less than 1 year, 8290 cases for 1—3 years and 4806 cases for over 3 years. The amount involved in these cases was of Rs. 7272.74 crores. The reasons for delay in clearance of these cases are requirement of following Principles of Natural Justice, such as giving time to furnish reply to notice and granting of personal hearing (there are repeated adjournments), cross examination of large number of witnesses, request to supply documents contending them to be relevant for the proceedings transfer of adjudicating officers, clarification sought by adjudicating officers from superior officers or the Board on certain issues, remanding of large number of cases for afresh adjudication by Commissioner (Appeals) and CEGAT.

(d) The following amendment in Central Excise Act, 1944 have been proposed in Finance Bill, 2001 to expedite adjudication and to discourage unnecessary disputes and litigation:—

1. Interest will be charged from the date the duty ought to have been paid, instead of after 3 months from the date of communication of the adjudication order.
2. A statutory time limit of six months from the date of issue of show-cause notice has been specified, for completion of adjudication.
3. Power of the Commissioner (Appeals) to remand any case for *de-novo* adjudication has been taken away.
4. An incentive for voluntary payment of duty with interest, has been proposed in which case no written notice will be given to an assessee, subject to satisfaction of the Departmental Officer about correctness of the duty discharged.